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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional)
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First named inventor: *Gerhard J. Haas*

Application No.: *10/046,897*

Filed: *1/17/2002*

Art Unit: *1654*

Examiner: *COE, SUSAN D.*

Title: *HOP-BASED UDDER AND TEAT DIPS AND WASHES*

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ 665. - (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Nature of Appeal - #165 (identify type of reply):

has been filed previously on _____

is enclosed herewith.

12/19/2003 YPOLITE1 00000008 10046897

B. The issue fee of \$ _____

has been paid previously on 01 FC:2453

665.00 OP

is enclosed herewith.

[Page 1 of 2]
This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

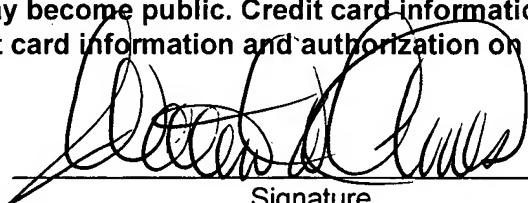
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 17, 2003

Date

Telephone Number: (703)356-1737



Signature

Walter D. Ames, Reg. No. 17,913

Typed or printed name

6718 Wemley Way

Address

McLean, VA 22101

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: Notice of Appeal with fee

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

12/17/03

Date



Signature

Walter D. Ames

Type or printed name of person signing certificate



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of Gerhard J. Haas

Serial No. 10/046,897

Art Unit 1651

Filed: Jan. 17, 2002

Examiner Susan D. Coe

For: Hop-Based Udder and Teat Dips and Washes

NOTICE OF APPEAL

Applicant, Gerhard J. Haas, hereby appeals to the Board of Patent Appeals and Interferences of the U.S. Patent and Trademark Office from the final rejection of claims 1 to 8, inclusive, all of the claims subject to examination in the above-identified application after a requirement for restriction that withdrew the remaining claims 9 to 14 from consideration.

Enclosed herewith is a check for the appeal fee of \$165.

Respectfully submitted,

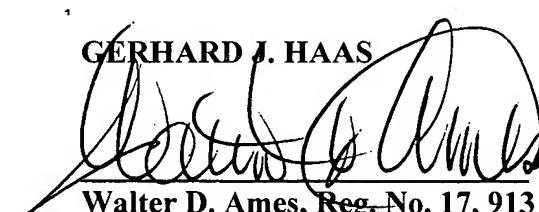
Dated: December 17, 2003

12/19/2003 YPOLITE1 00000008 10046897

02 FC:2401

165.00 OP

GERHARD J. HAAS


Walter D. Ames, Reg. No. 17, 913
Attorney for Applicant

**Walter D. Ames, Esq..
6718 Wemberly Way
McLean, VA 22101**

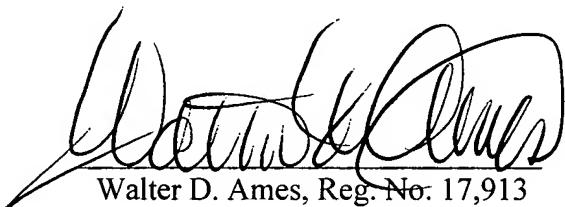
**Tel: (703) 356-1737
Fax: (703) 448-3055**



CERTIFICATE OF MAILING

It is hereby certified that on the 17th day of December, 2003, the foregoing Notice of Appeal was deposited with the United States Postal Service as first-class, postage-prepaid mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 - 1450



A handwritten signature in black ink, appearing to read "Walter D. Ames".

Walter D. Ames, Reg. No. 17,913

Attorney for Applicant



LAW OFFICE OF
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MCLEAN, VIRGINIA 22101

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Dec. 17, 2003

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Re: Appln. Serial No. 10/046,897, filed 1/17/02, Haas

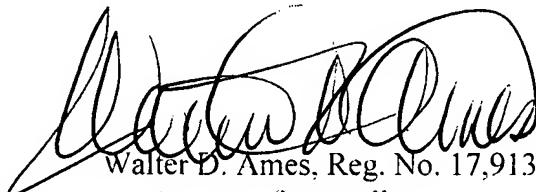
Sir:

As attorney representing applicant in the above-identified application, I enclose herewith for filing the following:

- (1) Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b);
- (2) Notice of Appeal;
- (3) A check for \$830.00, which represents the Small Entity petition fee of \$665 plus the appeal fee of \$165, and
- (4) Certificates of mailing.

Should there be any defects in this submission, it would be greatly appreciated if the undersigned is informed.

Respectfully submitted,



Walter D. Ames, Reg. No. 17,913
Attorney for Applicant

WDA/ss
encls.